



Date: December 17, 2003

I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "First Class Mail to Addressee" service.

Stephanie Hill

Name (Print)

*Stephanie Hill*  
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: OGOSHI, Kyoji	)	Examiner: Unassigned
	)	
Application No.: 10/681,352	)	Group Art Unit: Unassigned
	)	
Filed: October 8, 2003	)	Confirmation No.: Unassigned
	)	
Docket No.: 3190-044	)	Customer No.: 33432

For: DIAGNOSTIC METHOD OF SELECTING APPROPRIATE CANCER TREATMENTS AND  
SCREENING METHOD OF MEASURING REAGENTS AND CURATIVE MEDICINES  
FOR CANCER PATIENTS

**INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 CFR 1.97(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 17, 2003

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO-1449. One copy of each of these documents is attached.

This Information Disclosure Statement is being submitted before expiration of the three-month period following filing of the above-captioned application.

The above information is presented so that the Patent and Trademark Office can, in the first instance, determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) and 1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application,

Information Disclosure Statement  
U.S. Patent Application No. 10/681,352

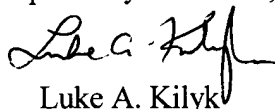
and that the documents cited in the attached Form PTO-1449 be made of record therein and appear on the first page of any patent to issue therefrom.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in this application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

It is believed that no fee is required to make this a complete and timely filing. However, if it is determined that a petition or fee is required, the Commissioner is hereby authorized to charge any fee associated with this statement to our Deposit Account No. 50-0925.

Respectfully submitted,

  
Luke A. Kilyk  
Reg. No. 33,251

Atty. Docket No.: 3190-044  
KILYK & BOWERSOX, P.L.L.C.  
53 A East Lee Street  
Warrenton, VA 20186  
Tel: (540) 428-1701  
Fax: (540) 428-1720  
Enclosures: Form PTO-1449, w/1 Document



FORM PTO-1449 (REV 7-80)

Atty. Docket No. 3190-044

Application No. 10/681,352

**INFORMATION DISCLOSURE STATEMENT**

APPLICANT: OGOSHI, Kyoji

Filing Date: October 8, 2003

Group Art Unit: Unassigned

**U.S. PATENT DOCUMENTS**

EXAMINER'S INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE, IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES	NO

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	International Search Report for PCT/JP02/02894.

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.